



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

**Caption in Compliance with
D.N.J.LBR 9004-1**

STEWART LEGAL GROUP, P.L.

Formed in the State of Florida

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Attorney for Fifth Third Bank, N.A.

Order Filed on January 27, 2021
by Clerk,
U.S. Bankruptcy Court
District of New Jersey

Chapter: 13

Case No.: 19-14998-SLM

Hearing Date: January 27, 2021

Judge Stacey L. Meisel

In re:

Peter Draksin

dba Peter Draksin

Debtor.

**CONSENT ORDER RESOLVING MOTION TO
VACATE AUTOMATIC STAY AND CO-DEBTOR STAY**

The relief set forth on the following pages is hereby **ORDERED**.

DATED: January 27, 2021

Honorable Stacey L. Meisel
United States Bankruptcy Judge

Debtor: Peter Draksin
Case No.: 19-14998-SLM
Caption of Order: **CONSENT ORDER RESOLVING MOTION TO VACATE
AUTOMATIC STAY AND CO-DEBTOR STAY**

THIS MATTER having been opened to the Court upon the Motion to Vacate Automatic Stay and Co-Debtor Stay (“Motion”) filed by Fifth Third Bank, N.A. (“Creditor”), and whereas the post-petition arrearage was \$2,116.40 as of January 19, 2021, and whereas the next contractual post-petition payment is due on January 24, 2021 in the amount of \$264.55, and whereas Debtor and Creditor seek to resolve the Motion, it is hereby **ORDERED**:

1. The automatic stay provided under 11 U.S.C. §362(a) shall remain in effect as to Movant’s interest in the following property: **2009 Jaguar XF; VIN: SAJWA05B89HR03336** (“Property”) provided that the Debtor complies with the following:
 - a. On or before January 29, 2021, the Debtor shall remit a lump sum payment in the amount of \$1,851.85 directly to Creditor;
 - b. On or before February 24, 2021, the Debtor shall cure the post-petition arrearage remaining after receipt of the lump sum above and the January 24, 2021 payment namely, \$529.10 by remitting directly to Creditor six (6) consecutive monthly payments in the amount of \$88.19 each; and
 - c. The Debtor shall also resume making the regular contractual monthly payments directly to Creditor as each becomes due, beginning with the February 24, 2021 payment and continuing thereon per the terms of the underlying loan; and
 - d. Remain current on all post-petition payment obligations, as well as all payments being paid through the Chapter 13 Plan.

2. The Debtor will be in default under the Consent Order in the event that the Debtor fails to comply with the payment terms and conditions set forth in above paragraphs and/or if the Debtor fails to make any payment due to Creditor under the Chapter 13 Plan.

3. All payments due hereunder shall be sent directly to Creditor at the following address: **Fifth Third Bank, N.A., 1830 East Paris S.E., MD#RSCB3E, Grand Rapids, Michigan 49546.**

4. If the Debtor fails to cure the default within thirty (30) days from the date of default, Creditor may submit a Certificate of Default to the Court on fourteen (14) days' notice to counsel for Debtor and the Chapter 13 Trustee for an order lifting the automatic stay imposed under 11 U.S.C. § 362(a) and permitting Creditor to exercise any rights under the loan documents with respect to the Property.

5. Creditor is awarded reimbursement of attorney fees and costs in the amount of \$250.00 and \$181.00, respectfully to be paid through the Chapter 13 Plan.

STIPULATED AND AGREED:

/s/Dean G. Sutton
Dean G. Sutton, Esq.
18 Green Rd.
PO Box 187
Sparta, NJ 07871
Counsel to Debtor

/s/ Gavin N. Stewart
Gavin N. Stewart, Esq.
Stewart Legal Group, P.L.
401 East Jackson Street, Suite 2340
Tampa, FL 33602
Counsel to Creditor

In re:
Peter Draksin
Debtor

Case No. 19-14998-SLM
Chapter 13

District/off: 0312-2
Date Rcvd: Jan 28, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol Definition

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 30, 2021:

Recip ID	Recipient Name and Address
db	+ Peter Draksin, 2435 Woodcrest Drive, East Stroudsburg, PA 18302-9234

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 30, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 28, 2021 at the address(es) listed below:

Name	Email Address
Dean G. Sutton	on behalf of Debtor Peter Draksin dean@deansuttonlaw.com
Denise E. Carlon	on behalf of Creditor U.S. Bank National Association as Trustee for Terwin Mortgage et al... dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Fran B. Steele	on behalf of U.S. Trustee U.S. Trustee Fran.B.Steele@usdoj.gov
Gavin Stewart	on behalf of Creditor Fifth Third Bank N.A. bk@stewartlegalgroup.com
Kevin Gordon McDonald	on behalf of Creditor U.S. Bank National Association as Trustee for Terwin Mortgage et al... kmcdonald@kmllawgroup.com, bkgroup@kmllawgroup.com

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User: admin

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Date Rcvd: Jan 28, 2021

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Total Noticed: 1

Marie-Ann Greenberg

magecf@magtrustee.com

Nicholas V. Rogers

on behalf of Creditor JPMC SPECIALTY MORTGAGE LLC F/K/A WM SPECIALTY MORTGAGE LLC
nj.bkecf@fedphe.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8